

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 25470 of 2007(F)  
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PETITIONER:

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P.P.SAMEERA, AGED 25 YEARS,  
W/O.MANZUR ALI BEERAN, HIGH SCHOOL ASSISTANT  
(PHYSICAL SCIENCE), A.M.M. HIGH SCHOOL  
P.O.PULIKKAL MALAPPURAM DISTRICT - 673 637.

BY ADV. SRI.V.A.MUHAMMED  
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY  
ITS SECRETARY TO GOVERNMENT,  
GENERAL EDUCATION DEPARTMENT,  
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,  
JAGATHY, TRIVANDRUM-14.
3. THE DEPUTY DIRECTOR OF EDUCATION,  
MALAPPURAM DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER,  
MALAPPURAM DISTRICT.
5. THE MANAGER,  
A.M.M. HIGH SCHOOL AND L.P.SCHOOL,  
P.O.PULIKKAL, MALAPPURAM DISTRICT - 673 637.

BY GOVT. PLEADR SMT. SUDHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**A.K. BASHEER, J.**

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**W.P.(C). NO. 25470 OF 2007**  
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Dated this the 22<sup>nd</sup> day of August, 2007

**J U D G M E N T**

Petitioner is stated to have been appointed as High School Assistant (Physical Science) in the school under the management of respondent No.5 against a leave vacancy from July 31, 2006 till July 28, 2011. Petitioner's grievance is that her appointment has not yet been approved. The controlling officer took the view that the appointment could not be approved since there existed a dispute in the management of the institution. The view taken by the controlling officer in Ext.P1 order was confirmed in appeal by the appellate authority.

2. Learned counsel submits that against Ext.P2 order of the appellate authority, petitioner has preferred Ext.P13 revision petition before respondent No.2. The limited prayer is to issue a direction to respondent No.2 to take a decision on Ext.P13 expeditiously.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P13 strictly on its merit and in accordance with law, as

expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. While taking a decision, respondent No.2 shall keep in view Exts. P4 to P11 judgments and orders of the Government. Respondent No.2 shall ensure that petitioner and the manager of the school are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of this judgment along with a copy of the writ petition before respondent No.2 for compliance.

**A.K. BASHEER, JUDGE**

vps

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Page numbers

**A.K. BASHEER, JUDGE**

**OP NO.20954/00**

**JUDGMENT**

**1ST MARCH, 2007**